SUPREME COURT DECISIONS

OPINION IN ALASKA COAL LAND FRAUD CASES.

Judgment of the Lower Court, Which Quashed Indictments Against Defendants, Is Reversed The Pennsylvania Law Taxing Automobiles Is Upheld

WASHINGTON, Dec. 4. The Supreme Court to-day reversed the judgment of the United States District Judge for the Western District of Washington State in the Alaskan coal land fraud cases, it which the lower court sustained a motito quash the indictments against Charle F. Munday and Archie W. Shields. Th two defendants had been indicted or charge of conspiring to bring about fraudlent entries of coal lands in Alaska by procuring dummy entrymen and the taking at assignment of the claims. I two defendants in this way, it was a leged, had secured control of forty traccomprising 6.087 acres of valuable cos lands in Alaska estimated to be wort approximately \$10,000,000. The motio to quash the indictments was based or the contention that the public land laws of the United States had not been extended to the unsurveyed coal lands of Alaska. Originally there were separate statutes regulating the public lands in the United States from those which applied to Alaska. Later Congress in legislating for Alaska manifestly sought to extend the public land laws of the United States and apply them to the Terri-

The opinion to-day was by Justice Lurton, who held that it was plainly the intent of Congress to prevent one individual or corporation from acquiring through entry more than 160 acres of coal land in Alaska. The lands involved in the present case are popularly known as the Stracey group and were given con siderable publicity in the Ballinger Pinchot investigation

This was probably the most important of the many epinions handed down to-day by the Supreme Court following the brief recess which the Justices have been en-joying just prior to the assembling of Congress

Congress.

Among the other opinions was one by Justice Lamar upholding a statute of the State of Pennsylvania unposing a tax on automobiles. The law was attacked as a burden on interstate commerce the contention being that the automobiles subjected to the tax had been manufactured outside Pennsylvania but sold or used within the State Justice Lamar declared that the facts showed that the manufacturers had an agent in Pennsylvania and that a contract for a sale was an interstate transaction.

PACKERS ASK FOR A STAY

They Plead the Unconstitutionality of Sherman Law as a Criminal Statute.

WASHINGTON, Dec. 1 .- In the Supre-Court to-day a formal motion was to by John S. Miller, counsel for the Chicket packers, for a stay of proceedings in criminal cases that are to be called for trial in Chicago Wednesday until af e the Supreme Court has passed on the ap peal taken by the packers from the judg ment of Judge Kohlsaat quashing the writ of habeas corpus by which the packera sought to gain their liberty. The action taken to-day by Mr. Miller, who was joined in the motion by Levy Mayer of Chicago, also of counsel for the packers, was the formal step before the full bench. which the Chief Justice indicated was necessary at the time he refused to hear the motion in the recess of the court.

The question raised to-day may be decided when the court meets to-morrow morning, or it may go over until next Mon day, the next regular "opinion day." The attorneys for the packers said after formal submission of the motion that they did not expect a decision until Monday and that they felt certain that United States District Judge Carpenter in C cago, in whose court the criminal cases are pending, will grant a postponement until after Monday.

Attorney-General Wickersham and Senator Kenyon of Iowa, who helped prepare the cases against the packers, held a conmotion by Mr. Miller The ground on which the attorneys

for the packers asked for a stay of proceedings in the criminal cases is that the constitutionality of the Sherman law as a criminal statute has been called in question and that the question has not heretofore been decided by the Supreme

In their application for a stay of pro-ceedings the atterneys for the packers

The peti loners submit that the miinterests much more emphatically den that the question here presented of ▼alidity of the criminal provisions of Anti-trust statute should be specifly

Source of the United States Circuit Court for the Southern district of New York, approving the plan for the dispany with certain modifications, submitted a motion in the United States Suprems as motion in the United

The petition which the attorney would file seeks a writ of mandamas to the Circuit Court directing it to set aside and to prevent the judges from putting the decree in effect, for a writ of certification of time to prepare their answers, to review the proceedings of the court below on which the decree was entered, for a writ of mandamas to the Court form of time to prepare their answers. It is understood that the United States for a writ of mandamas to the Court form of time to prepare their answers. It is understood that the United States for a writ of mandamas to the court below to permit the Leaf Toliseco Steel Corporation itself will subsequently in the suit, and finally for a supersede as to stay all proceedings pending further to stay all proceedings of the count to be taken by the petitioners looking to overturning, the decree in the Department of Mining Company, Talen Mining Company, Man Buren Iron Mining Company, Man Buren Iron Mining Company, Man Buren Iron Mining Company, Van Buren Iro

Somebody's Folly

What folly it is to select our wheat-

Then wash and brush and scour it-

Then grind it 20 times— Then sift it 10 times through silk.

What folly it is if, by all these precautions, we don't get a flour that is better than others.

But, if we do get it, what folly it is for housewives not to insist on this Gold Medal Flour.

Which of us makes the mistake?

Gold Medal Flour has come to outsell every other flour in existence.

Just because we take those precautions.

And because millions of housewives, after countless comparisons, have discovered the merit of Gold Medal Flour.

Now they use in their baking just this cream of the flour - just these sifted - out granules-just



pany with certain modifications, submitted a motion in the United States Supreme Court for leave to file a petition asking for a number of things in the way of relief.

The petition which the attorney would file seeks a writ of mandators to the Circuit Court directing it to set aside and vacate its decree for a writ of prohibition.

Secretary Jacob M. Dickinson, who was retained as special prosecutor. In a letter written to United States District Attorney John B. Vreeland and forwarded by him to the Department of Justice at Washington Kellogg & Emery of New York as counsel for a number of the Western mining corporations named the Western mining corporations named.

overturning the decree in the as a reasonable extension, but will not American Totacco case.

As soon as Mr. Levy had submitted his motion. Attorney-General Wickershim promptly announced that the Government.

The Government of the Covernment of the Windershim promptly announced that the Government of the Covernment American Tobacco case.
As soon as Mr. Levy had submitted his has for its purpose mere delay of the made to the court on one of the Mondays on the dollar cash and Judge Hand conas upon any other private parties and between now and January I, when the firmed the composition yesterday. The takes the ground that they have no in answers are due. The reason why all total liabilities were \$2,158,000, of which there is the private them to

Appellants do not stand above. Criminal provisions and the specific design of the country of the criminal by this tribunal Appellants do not stand above. Criminal prosecutions under the antifurus statute and indetermined against the size pending and indetermined against the size produced of Columbia, the American Sagar Befining Company officers in New York, attorney for the Leaf Tobacco Dard of Trade Wants the Disciplation of the exercise of prediction of the Columbia of the exercise of prediction of the Columbia of the exercise of prediction of the Disciplation of the Columbia of the exercise of prediction of the Disciplation of the Disciplation of the Columbia of the Earl Obacco Obard of Trade Wants the Disciplation of the Columbia of the

terest in the suit that permits them to intervene. It is expected that the Suit preme Court will pass on the motion next Monday, although it may decide to agt to give the defendants the benefit of all the time possible before filing their an-

Snowflakes melted on many a silk hat as the first spadeful of earth was turned at Mott avenue and 18th street. First Borough President Miller removed a patch of asphalt with a pickaxe, then Public Service Commissioner Eustis scooped up gravel with a bronze shovel then President J. Harris Jones of tlepany and the Weyman Bruton Company. North Side Board of Trade enlarged the hole with a common shovel. And finally there was a luncheon given by the North Side Board of Trade, from which President Miller absent of himself because he and the Board of Trade are not agreed as to a resolution which Mr. Miller has pending in the Board of Estimate to prevent encroachments beyond the building line. Chairman Willeox of the Public Service Commission said at the luncheon that the comprises in adopted plans last July bearing 7 per cent. non-cumulative divisions with the Weyman Bruton Company. Both are new corporations the formation of which was provided for in the plan of reorganization approved by the Circuit Court of the United States.

The two charters filed to-day are almost identical as to their provisions. Each company will have an authorized capital stock of \$8,000,000, divided equally into common and preferred stock, the latter bearing 7 per cent. non-cumulative divisions. commission adopted plans last July for the Seventh avenue subway which would rive a local connection with the new Pennsylvania station, but that these plans were defeated by the Board of Estimate, as were also plans for the third tracking of the elevated lines and the typening of the Steinway tunnel.

The Rooms will split at Third Manner.

A sentence of nineteen years and ten

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TWO NEW TOBACCO COMPANIES. Plan of Apportioning Stock to Holders in the American.

assets of the American Tobacco Company articles of incorporation were filed this afternoon by the George W. Helme Com-

15.58° of common stock in each company. The 22.793 shares thus distributed to the detendants will be 28.49 per cent. of the voting stock of each corporation. months in Sing Sing with a fine of \$2,500 while the remaining 71.51 per cent, while the remaining 71.5

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